

Remarks

In further responsive to the office action mailed November 10, 2005 and following the amendment filed February 10, 2006, applicants submit the enclosed Second Declaration of Mark G. O'Donnell.

Applicants submit that applicants' SPIROLL ® product that includes at least the features claimed in each of independent claims 37, 50 and 52 as had significant commercial success in the market due to certain features of the product as claimed in the claims.

In particular, the feature of the SPIROLL® brand rope protector that it may be easily applied to and positioned on a rope (without requiring a fixed attachment), yet provide sufficient protection through the use of wrapping the protector around the rope with sufficient overlap to provide an underlying abrasion resistant surface under the exposed abrasion resistant outer surface, is believed to be a significant factor in the commercial success with which the product has been met (Second O'Donnell Declaration, ¶3).

The feature of the product having a small constricting force provided by the spiral shape that provides a snug fit around the rope or webbing along the full length of the protector with sufficient gripping force as to inhibit slippage along the length of the rope or webbing when no external force is applied to the protector, is an important feature to customers is also believed to be a significant factor in the commercial success with which the product has been met (Second O'Donnell Declaration, ¶4).

The resistance provided by the product to being unwrapped when slid sideways along a rough, hard surface in a direction transverse to the length of the spiral is also believed to be a significant factor in the commercial success with which the product has been met (Second O'Donnell Declaration, ¶4).

The feature of the product having a memory that produces a small constricting force that provides a snug fit around the rope or webbing along the full length of the protector with sufficient gripping force as to inhibit slippage along the length of the rope or webbing when no external force is applied to the protector, yet permit slippage along a length of the rope or webbing when a sufficient external force is applied to the protector is also believed to be a significant factor in the commercial success with which the product has been met (Second O'Donnell Declaration, ¶5).

Applicants submit, therefore, that commercial success with which the SPIROLL® product has been met is due to the above discussed features of at least claims 37, 50 and 52 (Second O'Donnell Declaration, ¶6).

Each of claims 36 - 53 is submitted to be in condition for allowance. Favorable action consistent with the above is respectfully requested.

Respectfully submitted,



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